

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	)	
	)	
vs.	)	2:23-CR-118
	)	
ERIK ADDISON,	)	
	)	
Defendant.	)	

**MEMORANDUM ORDER**

The Court resolves Defendant's objections to the government's exhibits as follows.

Given the length of this order, the Court notes at the outset a few important issues/rulings for ease of reference:

- G-89, 90, and 91: the Glock comparison images may be used as demonstrative exhibits only.
- Lab envelopes must be redacted (as agreed to by the government).
- Some additional chats, notes, and one video need additional redactions (292, 294-296, 305, and 309).
- 400-407: the video and still images need to be discussed at the final pre-trial conference.
- The Court's separate order regarding the trial brief has important rulings on the rap videos and the school bus evidence, which is incorporated in this order.
- Overall, the Court is allowing the admission of numerous images and videos depicting Mr. Addison with cash and guns. The Court assumes that these were included on the exhibit list to obtain pre-trial rulings, not that all of the exhibits would necessarily be introduced. The Court reserves the right to limit introduction of duplicative images on the basis of being cumulative.

**GOVERNMENT EXHIBIT LIST****April 14 – Edgewood****Police Reports**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-1	ACPD - Interview of Civilian Witness <sup>1</sup>	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-2	ACPD - Interview of Civilian Witness	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-3	ACPD - Scene Processing	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

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<sup>1</sup> Defense indicated a general objection to the captions/file titles for the exhibits. The parties agreed that the government will submit a final copy of the exhibits to the Court in which the file title for each exhibit will simply be the exhibit number, without any additional caption.

G-4	ACPD - School bus processing	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-5	ACPD - School bus video	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612.	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-6	CAD	Hearsay.	Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-7	Edgewood PD - Excerpt	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise

				be admitted into evidence.
G-8	ROI 014 (ADDISON et al) - ADDISON Cellphone Review (Rims)	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-9	ROI 015 (ADDISON et al) - Pep Boys Video (ADDISON'S Rims)	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-10	ROI 016 (ADDISON et al) - Evidence Review at ACPD (RE 04-14-2023 shooting)	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-11	ROI 017 (ADDISON et al) - Evidence Review at McGann Chester (RE 05-08-2023 Incident)	Hearsay as to written report. FRE 401-403, 404(b) as to photos.	Agreed, Marked for ident. to refresh under FRE 612. Photos addressed	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection

			below at G-89 to G-91.	and for impeachment, but may not otherwise be admitted into evidence.
G-12	ROI 020 (ADDISON et al) - Updated Records from Facebook	FRE 401-403, 404(b).	Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-13	ROI 021 (ADDISON et al) - SW for HCDS	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-14	ROI 024 (ADDISON et al) - Edgewood PD Officer Rick Susalla	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

### Scene Photos

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
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G-15	Black Jeep – Rear (IMG_0062)	None		
G-16	Black Jeep - Back Right (IMG_0066)	None		
G-17	Casing 1 - Zoom	None		
G-18	Casing 2 - Zoom	None		
G-19	Casing 3 - Zoom	None		
G-20	Casing 4 - Zoom (IMG_0365)	None		
G-21	Casing 5 - Zoom (IMG_0367)	None		
G-22	Casing 6 - Zoom (IMG_0369)	None		
G-23	Casing 7 - Zoom (IMG_0372)	None		
G-24	Casing 7 (IMG_0373)	None		
G-25	Casings 1, 2, and 3 - Closer	None		
G-26	Casings 1, 2, and 3 - Overview	None		
G-27	Casings 5 and 6 (IMG_0366)	None		
G-28	Edgewood Town Centre - Shooting Scene Map	None		
G-29	Edgewood Town Centre - Shooting Scene Map and Cameras	FRE 403 – objection to “school bus shot”	FRE 403 does not require government to sanitize its case. <i>U.S. v. Cross</i> , 308 F.3d 308, 325 (3d Cir. 2002)	Sustained in part and overruled in part; references to a school bus must be removed pursuant to the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150. The exhibit is otherwise relevant and admissible.
G-30	Front of Happy Smoke Store with Police Cruiser (IMG_0358)	None		
G-31	Hole in Window - Zoom (IMG_0354)	None		

G-32	Hole in Window (IMG_0355)	None		
G-33	Hole in Windshield (IMG_0357)	None		
G-34	Maroon SUV - Front Right (IMG_0057)	None		
G-35	Still from Body Cam - Between Vehicles (vlcsnap-2024-12-11- 04h26m34s037)	None		
G-36	Still from Body Cam - Casing 3 and 4 (vlcsnap-2024-12-11- 04h25m44s521)	None		
G-37	Still from Body Cam - Casing 7 (vlcsnap- 2024-12-11- 04h30m05s867)	None		
G-38	Still from Body Cam - Casings 1 and 2 (vlcsnap-2024-12-11- 04h24m23s129)	None		
G-39	Still from Body Cam - Casings 5 and 6 (vlcsnap-2024-12-11- 04h28m06s886)	None		

### Scene Video and Still Images

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-40	1717 Hays Street (Video)	Objection to audio.	Non-hearsay; No legal basis for objection.	Overruled; the only audio in this video consists of several gunshots, which are not statements offered for the truth of the matter.
G-41	7469 Schoyer Ave - Still - 1 - School Bus	None		
G-42	7469 Schoyer Ave - Still - 2 - Black Sedan	None		

	Behind School Bus			
G-43	7469 Schoyer Ave - Still - 3 - Black Sedan and Runner	None		
G-44	7469 Schoyer Ave - Still - 4 - Sedan with Window Down	None		
G-45	7469 Schoyer Ave - Still - 5 - Sedan with Window Down and Person Hanging Out	None		
G-46	7469 Schoyer Ave - Still - 6 - Sedan with Window Down and Person Pointing Gun	None		
G-47	7469 Schoyer Ave - Still - 7 - White Sedan	None		
G-48	7469 Schoyer Ave - Still - 8 - White Sedan	None		
G-49	7469 Schoyer Ave - Still - 9 - White Sedan	None		
G-50	7469 Schoyer Ave - Still - 10 - White Sedan	None		
G-51	7469 Schoyer Ave - Front Porch (Video)	None		
G-52	Cell Phone Video - 1 - Blase Ward	Objection to statement as hearsay.	FRE 803(1) – present sense impression; Non-hearsay; no statements offered for truth of matter asserted;	Overruled; the statement “here they come” is a present sense impression because the declarant is describing what is happening while the declarant perceives it. Fed. R. Evid. 803(1).
G-53	Cell Phone Video - Still - Front - distance	None		
G-54	Cell Phone Video -	None		

	Still - Front - Zoom			
G-55	Cell Phone Video - Still - Profile 1	None		
G-56	Cell Phone Video - Still - Profile 2	None		
G-57	Edgewood Town Centre Video - Clip	None		

### Photos of Items in Evidence

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-58	.45 cal Shell Casings (2) (IMG_0199)	None		
G-59	9mm Shell Casing (IMG_0193)	None		
G-60	9mm Shell Casing (IMG_0201)	None		
G-61	Evidence Envelope Labeled "23-0475:H" (IMG_0188)	Reference to Offense Code: (2705) Recklessly endangering another person is more prejudicial than probative – FRE 403	Will be redacted	Overruled, subject to the government redacting the document.
G-62	Evidence Envelope Labeled "23-0475:I" (IMG_0190)	Same as G-61	Will be redacted	Overruled, subject to the government redacting the document.
G-63	Evidence Envelope Labeled "23-0475:J" (IMG_0192)	Same as G-61	Will be redacted	Overruled, subject to the government redacting the document.
G-64	Evidence Envelope Labeled "23-0475:K" (IMG_0194)	Same as G-61	Will be redacted	Overruled, subject to the government redacting the document.
G-65	Evidence Envelope Labeled "23-0475:L"	Same as G-61	Will be redacted	Overruled, subject to the government

	(IMG_0196)			redacting the document.
G-66	Evidence Envelope Labeled "23-0475:M" (IMG_0198)	Same as G-61	Will be redacted	Overruled, subject to the government redacting the document.
G-67	Evidence Envelope Labeled "23-0475:N" (IMG_0200)	Same as G-61	Will be redacted	Overruled, subject to the government redacting the document.
G-68	Shell Casings (4) (IMG_0195)	None		
G-69	Shell Casings (9) (IMG_0191)	None		
G-70	Spent Round (IMG_0189)	None		
G-71	Spent Round/Fragment (IMG_0197)	None		

### Lab Reports

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-72	2301982 Item 2-1_2302827 Item 7A TCC ID Breech Face Impression Agreement	N/A	Government not seeking to admit.	
G-73	2301982 Item 2-1_2302827 Item 7A TCC ID Firing Pin Aperture Shear Mark Agreement	N/A	Government not seeking to admit.	
G-74	23LAB2466 - Supp FATM	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment,

				but may not otherwise be admitted into evidence.
G-75	23LAB2466 FATM	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

### Pep Boys

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-76	Video: Pep Boys 1	None		
G-77	Video: Pep Boys 2	None		
G-78	Video: Pep Boys 3	None		
G-79	Still Image of Black Rim	None		
G-80	Video: Pep Boys 4	Relevance Denominations unclear (FRE 401, 403, and 404(b)).	Intrinsic evidence/admiss. 404(b) evid. of drug trafficking – unexplained wealth. Doc. 112 at 37-39.	Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this video (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is

				<p>generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). Here, the videos and images showing Mr. Addison with large amounts of cash are relevant to his drug trafficking. Mr. Addison’s objection to the denominations being unclear goes to the weight, not the admissibility.</p>
G-81	Video: Pep Boys 5	See G-80	See response to G-80	<p>Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this video (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant</p>

				and admissible.” <i>United States v. Cooley</i> , 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v. Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). Here, the videos and images showing Mr. Addison with large amounts of cash are relevant to his drug trafficking. Mr. Addison’s objection to the denominations being unclear goes to the weight, not the admissibility.
G-82	Pep Boys – Still Image 1	Authenticity	Will authenticate with witness testimony and/or business record certification (FRE 803(6) and 902(11))	Overruled; the government has met its burden under Rule 901 by proffering that it will authenticate this exhibit with a witness at trial.
G-83	Pep Boys – Still Image 2	Authenticity	See G-83 above	Overruled; the government has met its burden under Rule 901 by proffering that it will authenticate this exhibit with a witness at trial.
G-84	Pep Boys – Still Image 3	Authenticity	See G-83 above	Overruled; the government has met its burden under

				Rule 901 by proffering that it will authenticate this exhibit with a witness at trial.
G-85	Pep Boys – Still Image 4	Authenticity	See G-83 above	Overruled; the government has met its burden under Rule 901 by proffering that it will authenticate this exhibit with a witness at trial.
G-86	Pep Boys Invoice 04-16-2023	Authenticity	See G-83 above	Overruled; the government has met its burden under Rule 901 by proffering that it will authenticate this exhibit with a witness at trial.

## Historical Cell Site

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-87	John Orlando HCSD Report	Hearsay	Demonstrative to assist in explaining testimony. FRE 107.	Overruled; demonstratives are permissible to “clarify and simplify complex testimony or other information and evidence or to assist counsel in the presentation of argument to the court or jury.” <i>United States v. Bray</i> , 139 F.3d 1104, 1111 (6th Cir. 1998). However, it will not be sent back to the jury with the trial exhibits.

G-88	Raw HCSD - 412-525-3448.zip	Authenticity	Agreed, marked for identification purposes only.	Sustained.
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### Images from McGann and Chester

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-89	Comparison Image	FRE 401-403, 404(b)	See Doc. 112 at 42-45.	Sustained in part and overruled in part; the Court construes this exhibit as a demonstrative exhibit. Demonstratives are permissible to “clarify and simplify complex testimony or other information and evidence or to assist counsel in the presentation of argument to the court or jury.” <i>United States v. Bray</i> , 139 F.3d 1104, 1111 (6th Cir. 1998). The government may show it to the jury, so long as it offers the proper foundation (i.e., testimony about how the comparison was created). However, it will not be sent back to the jury with the trial exhibits.
G-90	Firearm Next to Driver's Seat - 1 (IMG_0206)	FRE 401-403, 404(b)	See G-89	Sustained in part and overruled in part for the reasons stated in the Court’s ruling on G-89.

G-91	Firearm Next to Driver's Seat - 2 (IMG_0207)	FRE 401-403, 404(b)	See G-89	Sustained in part and overruled in part for the reasons stated in the Court's ruling on G-89.
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**May 8 – Homestead**

Law Enforcement Reports

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-92	ACPD - Collecting Valero Video	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-93	ACPD - Collection of One Video from Dorothy's Bar	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-94	ACPD - Collection of Remaining Video from Dorothy's Bar	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into

				evidence.
G-95	ACPD - Interview of Civilian Witness - Crash Victim on Bridge	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-96	ACPD - Interview of Berberich	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-97	ACPD - Interview of Boehm	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-98	ACPD - Interview of Civilian Witness and Collecting Video - Bruesters	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment,

				but may not otherwise be admitted into evidence.
G-99	ACPD - Interview of Munhall PD Miller	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-100	ACPD - Interview of O'Sullivan	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-101	ACPD - Interview of Patrick Swindell	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-102	ACPD - Interview of PBP Officer Hartnett	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to

				refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-103	ACPD - Interview of Randy Ernst	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-104	ACPD - Interview of Stegena	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-105	ACPD - Narrative Summary	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-106	ACPD - Recovery of 216 8th Avenue Video	Hearsay.	Agreed, Marked for ident. to refresh under	Overruled; because the government has indicated that it will not seek to admit this

			FRE 612	exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-107	ACPD - Recovery of Ernst's Bullet from Vehicle	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-108	ACPD - Report and Warrant for Vehicle	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-109	ACPD - Rosenberg Report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-110	ACPD - Scene Report	Hearsay	Agreed, Marked for	Overruled; because the government has

			ident. to refresh under FRE 612	indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-111	ACPD - Scene Report - Bridge - Inventory of Infiniti	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-112	ACPD - State Criminal Complaint and Affidavit	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-113	ACPD - Use of Matterport Scanner	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

G-114	ACPD - Vehicle Warrant Inventory	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-115	ACPD - View Valero Video - Find Hilliard's Bag	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-116	CAD - Fire EMS	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-117	CAD - Police - Begin with Traffic Stop	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise

				be admitted into evidence.
G-118	CAD - Police - Begin with Ernst Pursuit	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-119	Homestead PD - Ernst	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-120	Munhall PD - Jared Ruffing report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-121	Munhall PD - Sgt Scheiss Report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection

				and for impeachment, but may not otherwise be admitted into evidence.
G-122	PBP - Berberich Report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-123	PBP - Hartnett Report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-124	PENNDOT Vehicle Registration	Hearsay	Certified Public Record. FRE	Overruled; self-authenticating under Fed. R. Evid. 902(4).
G-125	West Homestead PD - Ofc Swindell Report	Hearsay	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

**Photos – Addison Vehicle – On Scene**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-126	Addison Front Bumper - Bridge - 1	None		
G-127	Addison Front Bumper - Bridge - 2	None		
G-128	Addison Vehicle - Driver's Side - 8th Ave	None		
G-129	Addison Vehicle - Front - 8th Ave	None		
G-130	Addison Vehicle - Front Passenger Corner - 8th Ave	None		
G-131	Addison Vehicle - Rear - 8th Avenue	None		
G-132	Addison Vehicle - Rear Driver Corner - 8th Ave	None		

**Photos – Arrest Scene – Amity Street**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-133	Black Cell Phone and Cash	None		
G-134	Evidence Placards - 1	None		
G-135	Evidence Placards - 2	None		
G-136	Evidence Placards and Vehicles - 1	None		
G-137	Evidence Placards and Vehicles - 2	None		
G-138	Gun 1	None		
G-139	Gun 2	None		
G-140	Gun 3 - Can See Jammed Round	None		
G-141	Gun 4 - Close Up	None		
G-142	Gun 5 - Switch 1	None		
G-143	Gun 6 - Switch 2	None		
G-144	Gun 7 - Jammed	None		

	Round 1			
G-145	Gun 8 - Jammed Round 2	None		
G-146	Infiniti Keys	None		
G-147	Items from Addison - Overview	None		
G-148	Magazine	None		
G-149	Magazine and Cleared Round	None		
G-150	More Cash	None		
G-151	White iPhone	None		

### Photos – Shooting Scene – Hazel Way

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-152	Casing 1 - Close Up	None		
G-153	Casing 1 - Mid Range	None		
G-154	Casing 2 - Close Up	None		
G-155	Casing 2 - Mid Range	None		
G-156	Casings -Far Away	Misleading given placement of police vehicle	Objection goes to weight; can be addressed on cross. Witness from Crime Lab MCU will testify photo accurately depicts scene when he processed it.	Overruled; objection goes to weight, not admissibility.

### Maps of Scene

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-157	Map 1 - Traffic Stop Vehicle Casings	None		
G-158	Map 2 - Homestead	None		

**Photos – Addison Vehicle – Search Warrant**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-159	31 Round Magazine from Bag	None		
G-160	Addison's ID from Bag	None		
G-161	Application for Registration - 1 (M10_8994)	None		
G-162	Application for Registration - 2 (M10_8996)	None		
G-163	Bag of Bricks 1	None		
G-164	Bag of Bricks 2	None		
G-165	Bag on Back Floor - 1	None		
G-166	Bag on Back Floor - 2	None		
G-167	Bag on Back Floor - 3	None		
G-168	Bag Put on Back Seat	None		
G-169	Driver's Side	None		
G-170	Glock Logo on 31 Round Mag	None		
G-171	Passenger's Side	None		
G-172	Vehicle Insurance	None		
G-173	Vehicle Sale Paperwork	None		

**Video Clips and Still Images**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-174	Berberich 1 BWC - May 8 (Video)	Objection to audio of statements as hearsay	Present Sense impression; Excited Utterance; declarant's state of mind. FRE 803(1), (2), and (3).	Overruled; the statements are either non-hearsay (not for truth, but for effect on listener—e.g., “hands;” “are we going to hit it right now?”); present sense impressions; or excited utterances.

				Fed. R. Evid. 803(1), (2), and (3).
G-175	Dorothy 6 - Abandoning Car - 1 (Video)	Objection to audio of statements as hearsay	Statements are Present Sense impression. FRE 803(1)	Overruled; for two reasons. First, the audio is largely unintelligible, so there is not really a “statement,” let alone a hearsay statement. Second, the intelligible audio is admissible as present sense impressions because the declarant is describing the event while he is perceiving it. Fed. R. Evid. 803(1).
G-176	Dorothy 6 - Abandoning Car - 2 (Video)	None		
G-177	Dorothy 6 Rear - Ernst Follow Addison in Alley - 1 (Video)	Objection to audio of statements as hearsay	D’s statements are non-hearsay. FRE 801(d)(2).  Ernst’s statements are non-hearsay – effect on listener.	Overruled; the statements are admissible as non-hearsay to show their effect on Mr. Addison. <i>United States v. Edwards</i> , 792 F.3d 355, 357, n.2 (3d Cir. 2015) (statements offered for their effect on the listener are not hearsay because they are not offered for their truth).
G-178	Dorothy 6 Rear - Ernst Follow Addison in Alley - 2 (Video)	Objection to audio of statements as hearsay	See G-177.	Overruled; the statements are admissible as non-hearsay to show their effect on Mr. Addison. <i>United States v. Edwards</i> , 792 F.3d

				355, 357, n.2 (3d Cir. 2015) (statements offered for their effect on the listener are not hearsay because they are not offered for their truth).
G-179	Ernst BWC - Whole (Video)	Objection to audio of statements.	Marked for identification only.	Overruled; without prejudice to renewing if government moves to admit at trial.
G-180	Ernst BWC - Excerpt (Video)	Objection to audio of statements as hearsay	Present sense impression, excited utterance, declarant's state of mind. FRE 803(1), (2), (3). Offered for effect on listener (Addison).	Overruled; the statements are admissible as present sense impressions because the declarant is describing the event while he is perceiving it. Fed. R. Evid. 803(1). Statements to Mr. Addison are admissible to show effect on listener. <i>United States v. Edwards</i> , 792 F.3d 355, 357, n.2 (3d Cir. 2015) (statements offered for their effect on the listener are not hearsay because they are not offered for their truth).
G-181	Ernst Dash Cam - Whole (Video)		Marked for identification only.	
G-182	Ernst Dash Cam - Excerpt (Video)	None		
G-183	Ernst Dash Cam - Still	None		
G-184	Stegen BWC - Excerpt (Video)	Objection to audio of statements	Present sense impression, excited	Overruled; the statements are admissible as present

		hearsay	utterance, declarant's state of mind. FRE 801(1), (2), and (3)	sense impressions because the declarants are describing the events while they are perceiving them. Fed. R. Evid. 803(1).
G-185	Stegena BWC - Still 1	None		
G-186	Stegena BWC - Still 2	None		
G-187	Stegena BWC - Still 3	None		
G-188	Stegena BWC - Still 4 - Front	None		
G-189	Stegena BWC - Still 5 - Front	None		
G-190	Stegena BWC- Whole BWC (Video)	Objection to audio of statements as hearsay	Marked for identification only.	Sustained.
G-191	Valero - Dumpster (Video)	None		
G-192	Valero - Front - GH and Addison (Video)	None		
G-193	Valero - Running Down Front (Video)	None		
G-194	Valero at Ann St - Clip (Video)	None		
G-195	Valero at Hazel Way - Clip (Video)	None		
G-196	West Homestead BWC (Video)	Objection to audio of statements as hearsay.	Present sense impression, excited utterance, declarant's state of mind. FRE 801(1), (2), and (3)	Overruled; the statements are admissible as present sense impressions because the declarants are describing the events while they are perceiving them. Fed. R. Evid. 803(1).
G-197	West Homestead	Objection to	Present sense	Overruled; the

	Police Cruiser - Clip (Video)	audio of statements as hearsay.	impression, excited utterance, declarant's state of mind. FRE 801(1), (2), and (3)	statements are admissible as present sense impressions because the declarants are describing the events while they are perceiving them. Fed. R. Evid. 803(1).
G-198	West Homestead Police Cruiser - Still 1	None		
G-199	West Homestead Police Cruiser - Still 2	None		

### Ballistics Analyst Photos

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-200	2302466 Item 4_2302827 Item 1A TCC ID Breech Face Impression Agreement	None		
G-201	2302466 Item 4_2302827 Item 1A TCC ID Firing Pin Aperture Shear Mark Agreement	None		
G-202	2302466 Item 4_2302827 Item 1A TCC ID Firing Pin Impression Agreement	None		

### Lab Reports

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-203	1A - MCU Scene Report - Clark	Hearsay.	Agreed, Marked for	Overruled; because the government has

			ident. to refresh under FRE 612	indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-204	1B - Scene Map - Clark	Authenticity.	Witness will authenticate.	Overruled; without prejudice to raising again if government fails to authenticate at trial.
G-205	1C - Evidence Log - Clark	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-206	1D - Evidence measurements - Clark	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-207	2 - MCU Report - Scene and Infiniti - Wolfe	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to

				refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-208	3 - Latent Prints - Priestley	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-209	4 - Drug Chemistry - Wolfe	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-210	5A - Firearms and NIBIN - Lorenz	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-211	5B - Supp NIBIN - Lorenz	Hearsay.	Agreed, Marked for ident. to refresh under	Overruled; because the government has indicated that it will not seek to admit this

			FRE 612	exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-212	2302466 Item 4_2302827 Item 1A TCC ID Breech Face Impression Agreement	None		
G-213	2302466 Item 4_2302827 Item 1A TCC ID Firing Pin Aperture Shear Mark Agreement	None		
G-214	2302466 Item 4_2302827 Item 1A TCC ID Firing Pin Impression Agreement	None		

### Pictures of Items in Evidence

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-215	Glock: White Evidence Box Labeled "2302827/1" (IMG_1532)	None		
G-216	Glock: Open Evidence Box with Firearm, Clip and Ammo (IMG_1533)	None		
G-217	Item A2: Front of Evidence Envelope Labeled "ITEMS 9-14" (IMG_1756)	None		
G-218	Item A2: Back of Evidence Envelope "Sealed 05/09/2023"	None		

	(IMG_1757)			
G-219	Item A2: Seven Evidence Envelopes with Items 9-14 (IMG_1758)	None		
G-220	Item A2: Front of Evidence Envelope for Item 9 (IMG_1759)	None		
G-221	Item A2: Back of Evidence Envelope for Item 9 (IMG_1760)	None		
G-222	Item A2: Evidence Envelope with Item 9 - 9mm "Blazer" Casing (IMG_1761)	None		
G-223	Item A2: Front of Evidence Envelope for Item 10 (IMG_1762)	None		
G-224	Item A2: Back of Evidence Envelope for Item 10 (IMG_1763)	None		
G-225	Item A2: Evidence Envelope with Item 10 - 9x19 "SEB 70" Casing (IMG_1764)	None		
G-226	Item A22: Back of Evidence Envelope Labeled "23-0593: A22"(IMG_1765)	None		
G-227	Item A22: Back of Evidence Envelope Labeled "23-0593: A22" with Clip and Ammo (IMG_1766)	Reference to ACP – HOM is more prejudicial than probative – FRE 403	Will be redacted	Overruled, subject to the government redacting the document.
G-228	Item A22: Close Up of Ammo (IMG_1767)			
G-229	Item A23: Front of	Reference to	Will be	Overruled, subject to

	Evidence Envelope Labeled "23-0593:A23" (IMG_1768)	ACP – HOM is more prejudicial than probative – FRE 403	redacted	the government redacting the document.
G-230	Item A23: Back of Evidence Envelope Labeled "23-0593:A23" (IMG_1769)	None		
G-231	Item A23: Evidence Envelope with Contents - Stamp Bags and Packaging (IMG_1770)	None		
G-232	Item A23: Close Up of Stamp Bags - "Magic" and Skull - Front (IMG_1771)	None		
G-233	Item A23: Close Up of Stamp Bags - "Magic" and Skull - Back (IMG_1772)	None		
G-234	Item A23: Close Up of Stamp Bags - "Magic" - Front (IMG_1773)	None		
G-235	Item A23: Close Up of Stamp Bags - "Magic" - Back (IMG_1774)	None		
G-236	Item A23: Close Up of Packaging - Front (IMG_1775)	None		
G-237	Item A23: Close Up of Packaging - Back (IMG_1776)	None		
G-238	Item A24: Front of Evidence Bag Labeled "Item 23-0593: A24" (IMG_1798)	Reference to ACP – HOM is more prejudicial than probative – FRE 403	Will be redacted	Overruled, subject to the government redacting the document.
G-239	Item A24: Side of	None		

	Evidence Bag Labeled "Item 23-0593: A24" (IMG_1800)			
G-240	Item A24: Back of Evidence Bag Labeled "Item 23-0593: A24" (IMG_1801)	None		
G-241	Item A24: Front of Black Bag on Top of Evidence Bag (IMG_1802)	None		
G-242	Item A24: Back of Black Bag on Top of Evidence Bag (IMG_1803)	None		
G-243	Item A24: Black Bag Hanging (IMG_1804)	None		
G-244	Item B: Front of Evidence Envelope Labeled "23-0593: B" (IMG_1733)	Reference to Offense Code: (2702) Aggravated Assault is more prejudicial than probative – FRE 403	Will to redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-245	Item B: Back of Evidence Envelope Labeled "23-0593: B" (IMG_1734)	None		
G-246	Item B: Evidence Envelope Labeled "23-0593: B" with Back of iPhone and iPhone Case (IMG_1735)	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-247	Item B: Evidence Envelope Labeled "23-0593: B" with Front of iPhone and	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.

	iPhone Case (IMG_1736)			
G-248	Item C: Front of Evidence Envelope Labeled "23-0593: C" (IMG_1737)	Same as G- 244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-249	Item C: Back of Evidence Envelope Labeled "23-0593: C" (IMG_1738)	None		
G-250	Item C: Evidence Envelope Labeled "23-0593: C" with Back of White iPhone (IMG_1739)	Same as G- 244 403	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-251	Item C: Evidence Envelope Labeled "23-0593: C" with Front of White iPhone (IMG_1740)	Same as G- 244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-252	Item D: Front of Evidence Envelope Labeled "23-0593: D" (IMG_1741)	Same as G- 244	Need to redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-253	Item D: Back of Evidence Envelope Labeled "23-0593: D" (IMG_1742)	None		
G-254	Item D: Envelope Labeled "23-0593: D" with Car Keys (IMG_1743)	Same as G- 244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-255	Item F: Front of Evidence Envelope Labeled "23-0593: F" (IMG_1744)	Exhibit includes Dates of Birth	Will redact dates of birth	Overruled, subject to the government redacting the document.
G-256	Item F: Back of Evidence Envelope Labeled "23-0593: F" (IMG_1745)	Same as G- 244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-257	Item I: Front of Evidence Envelope	Same as G- 244	Will redact offense code	Overruled, subject to the government

	Labeled "23-0593: I" (IMG_1746)		and dates of birth	redacting the document.
G-258	Item I: Back of Evidence Envelope Labeled "23-0593: I" (IMG_1747)	None		
G-259	Item I: Evidence Envelope Labeled "23-0593: I" with Driver's License (IMG_1748)	Same as G-244	Will redact offense code, dates of birth, driver license no. and address	Overruled, subject to the government redacting the document.
G-260	Item J: Front of Evidence Envelope Labeled "23-0593: J" (IMG_1749)	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-261	Item J: Back of Evidence Envelope Labeled "23-0593: J" (IMG_1750)	None		
G-262	Item J: Evidence Envelope Labeled "23-0593: J" with Back of Red iPhone (IMG_1751)	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-263	Item J: Evidence Envelope Labeled "23-0593: J" with Front of Red iPhone (IMG_1752)	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-264	Item K: Front of Evidence Envelope Labeled "23-0593: K" (IMG_1753)	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.
G-265	Item K: Back of Evidence Envelope Labeled "23-0593: K" (IMG_1754)	None		
G-266	Item K: Evidence Envelope Labeled "23-0593: K" with Spent	Same as G-244	Will redact offense code and dates of birth	Overruled, subject to the government redacting the document.

	Round/Fragments (IMG_1755)			
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**ATF Reports**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-267	ROI 001 (ADDISON & HILLIARD) - Case Initiation _REDACTED	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-268	ROI 002 (ADDISON & HILLIARD) - 3 Federal SW's for Cellphones	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-269	ROI 004 (ADDISON & HILLIARD) - 4 Federal SW's for Facebook Instagram	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-270	ROI 005 (ADDISON & HILLIARD) -	Hearsay.	Agreed, Marked for	Overruled; because the government has

	Firearm and Ammunition Interstate Nexus		ident. to refresh under FRE 612	indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-271	ROI 006 (ADDISON & HILLIARD) - 3 Federal SW's for HCSD	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-272	ROI 014 (ADDISON et al) - ADDISON Cellphone Review (Rims)	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-273	ROI 015 (ADDISON et al) - Pep Boys Video (ADDISON'S Rims)	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

G-274	ROI 016 (ADDISON et al) - Evidence Review at ACPD (RE 04-14-2023 shooting)	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-275	ROI 017 (ADDISON et al) - Evidence Review at McGann Chester (RE 05-08-2023 Incident)	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-276	ROI 020 (ADDISON et al) - Updated Records from Facebook	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-277	ROI 021 (ADDISON et al) - SW for HCDS	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise

				be admitted into evidence.
G-278	ROI 027 (ADDISON et al) - PA DOL Query	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.

### Cellular Telephone Reports

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-279	Rosenberg Report	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-280	News Article Visited by Addison on 4-16-23	FRE 401-403, 404(b).	See Government's Trial Brief (Doc. 112 at pp 63-66)	Overruled in part and sustained in part; subsequent acts can be admissible under Rule 404(b). <i>United States v. Bergrin</i> , 682 F.3d 261, n.25 (3d Cir. 2012) (Rule 404(b) says "nothing about whether the act in question is a prior or subsequent act."). This evidence is

				<p>admissible under Rule 404(b) because (1) the government is seeking to introduce this evidence for the non-propensity purpose of showing Mr. Addison's identity as the person who committed the offense at Count Four; (2) internet search history is relevant to showing identity, <i>United States v. Robinson</i>, No. 21-2906-CR, 2024 WL 2747143, at *2 (2d Cir. May 29, 2024); the probative value is not substantially outweighed by the danger of unfair prejudice because the evidence is highly relevant to proving Mr. Addison's identity as to Count Four, and the "other act" is not a crime, so the danger of unfair prejudice is low. <b><i>However, references to a school bus must be removed</i></b> pursuant to the Court's ruling in its order on the parties' motions <i>in limine</i>. ECF 150.</p>
G-281	Notes (unredacted)	FRE 401-403, 404(b).	This is unredacted version of G-309.	Overruled; because the government has indicated that it will not seek to admit this

			Government will not seek admission of this exhibit; marked for ID/refresh only.	exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-282	Owe Sheet Contacts	FRE 401-403, 404(b).	Rule 401 – makes it more likely “owe sheet” was real given actual contacts associated with it.	<p>Overruled; evidence related to owe sheets is intrinsic as to Counts One and Two because it is evidence of fentanyl distribution. The probative value is high because the drug ledgers are direct evidence of intent to distribute, and this probative value is not substantially outweighed by the danger of unfair prejudice under Rule 403.</p> <p>Even if this evidence were not intrinsic, it would still be admissible under Rule 404(b). Under a Rule 404(b) analysis, the first part of the test is satisfied because the government plans to introduce the evidence for the non-propensity purpose of showing knowledge and intent. <i>United States v. Jackson</i>, 619 F. App'x 189, 193 (3d Cir. 2015). The second</p>

				<p>part of the test is satisfied because the evidence is relevant to establishing the elements of Mr. Addison's drug charge. <i>Id.</i> (upholding introduction of evidence of "past distribution as relevant to prove knowledge of the same or different drug in a later distribution trial."). As to unfair prejudice under Rule 403, the Court finds no serious undue prejudice here, based on the language of the notes; further, the probative value is not substantially outweighed by the unfair prejudice because if the "evidence is highly probative, even a large risk of unfair prejudice may be tolerable." <i>United States v. Cross</i>, 308 F.3d 308, 323 (3d Cir. 2002). <i>See</i> ECF 150 (Court's ruling on motions <i>in limine</i>. Additionally, this exhibit provides context for the names listed on the owe sheets.</p>
G-283	Search History	FRE 401-403,	Not "other act."	Overruled;

	Change Number	404(b).	Relevant under 401 to explain different phone number at time of Count Four, for Historical Cell Site evidence.	<p>subsequent acts can be admissible under Rule 404(b). <i>United States v. Bergrin</i>, 682 F.3d 261, n.25 (3d Cir. 2012) (Rule 404(b) says “nothing about whether the act in question is a prior or subsequent act.”). This evidence is admissible under Rule 404(b) because (1) the government is seeking to introduce this evidence for the non-propensity purpose of showing Mr. Addison’s identity as the person who committed the offense at Count Four by showing the difference in his telephone numbers as compared to the cell site location data; (2) internet search history is relevant to showing identity, <i>United States v. Robinson</i>, No. 21-2906-CR, 2024 WL 2747143, at *2 (2d Cir. May 29, 2024); the probative value is not substantially outweighed by the danger of unfair prejudice because the evidence is highly relevant to explaining Mr. Addison’s</p>
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				different telephone numbers, and the “other act” is not a crime, so the danger of unfair prejudice is low.
G-284	Searched Shooting	FRE 401-403, 404(b).	See Government’s Trial Brief (Doc. 112 at pp 63-66)	Overruled; subsequent acts can be admissible under Rule 404(b). <i>United States v. Bergrin</i> , 682 F.3d 261, n.25 (3d Cir. 2012) (Rule 404(b) says “nothing about whether the act in question is a prior or subsequent act.”). This evidence is admissible under Rule 404(b) because (1) the government is seeking to introduce this evidence for the non-propensity purpose of showing Mr. Addison’s identity as the person who committed the offense at Count Four; (2) internet search history is relevant to showing identity, <i>United States v. Robinson</i> , No. 21-2906-CR, 2024 WL 2747143, at *2 (2d Cir. May 29, 2024); the probative value is not substantially outweighed by the danger of unfair prejudice because the evidence is highly

				relevant to proving Mr. Addison's identity as to Count Four, and the "other act" is not a crime, so the danger of unfair prejudice is low.
G-285	User Accounts	Hearsay. FRE 401-403, 404(b).	Party-Opponent Statement. FRE 801(d)(2); relevant to link Facebook and Instagram account, and to authenticate phone.	Overruled; this exhibit is relevant to show that Mr. Addison controlled certain Facebook and Instagram accounts and to authenticate him as the user of his phone. This relevance is not substantially outweighed by the danger of unfair prejudice because the danger of prejudice is low—many people have social media accounts. This is not an "other act" so Rule 404(b) does not apply.
G-286	Web History Shooting	Hearsay. FRE 401-403, 404(b).	See Government's Trial Brief (Doc. 112 at pp 63-66)	Overruled; subsequent acts can be admissible under Rule 404(b). <i>United States v. Bergrin</i> , 682 F.3d 261, n.25 (3d Cir. 2012) (Rule 404(b) says "nothing about whether the act in question is a prior or subsequent act."). This evidence is admissible under Rule 404(b) because (1) the government is seeking to introduce this

				<p>evidence for the non-propensity purpose of showing Mr. Addison's identity as the person who committed the offense at Count Four; (2) internet search history is relevant to showing identity, <i>United States v. Robinson</i>, No. 21-2906-CR, 2024 WL 2747143, at *2 (2d Cir. May 29, 2024); the probative value is not substantially outweighed by the danger of unfair prejudice because the evidence is highly relevant to proving Mr. Addison's identity as to Count Four, and the "other act" is not a crime, so the danger of unfair prejudice is low. This evidence is not hearsay because it is not a statement offered for the truth of the matter. Additionally, references to a school bus should be removed pursuant to the Court's ruling in its order on the parties' motions <i>in limine</i>. ECF 150.</p>
G-287	Web History with Rims	Hearsay. FRE 401-403, 404(b).	Party-opponent admission	Overruled; this evidence is admissible for the same reasons

			(801(d)(2)); Declarant's state of mind (803(3)); Rel. under 401 to explain why rims different between Edgewood Incident and May 8 Incident. No prejudice under 403. If 404(b), goes to identification of D as actor in Edgewood.	as the other search history. This evidence is admissible under Rule 404(b) because (1) the government is seeking to introduce this evidence for the non-propensity purpose of showing Mr. Addison's identity as the person who committed the offense at Count Four; (2) internet search history is relevant to showing identity, <i>United States v. Robinson</i> , No. 21-2906-CR, 2024 WL 2747143, at *2 (2d Cir. May 29, 2024); the probative value is not substantially outweighed by the danger of unfair prejudice because the evidence is highly relevant to proving Mr. Addison's identity as to Count Four, and the "other act" is not a crime, so the danger of unfair prejudice is low.
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### Chats

As to all the chat exhibits (G-288 through G-296), the Court finds that the government has met its burden of authentication. For a cell phone, the government can meet its slight burden of authentication by showing that a phone was found with the defendant and that the phone's contents suggest that it belongs to the defendant, such as text messages on the phone are addressed to the defendant. *United States v. Lackey*, No. 17-269, 2019 WL 6464656, at \*1 (M.D. Pa. Dec. 2, 2019). Here, the government has proffered evidence showing that the

phone was seized in connection with the May 8 events and that messages on the phone are addressed to Mr. Addison. The Court finds that the government's proffer sufficiently establishes by a preponderance of the evidence that the text messages came from Mr. Addison's phone, and therefore determines that the government's text message exhibits are properly authenticated.

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-288	Chat with 1337 - Drugs and Pep Boys	Hearsay, authenticity, FRE 401-403, 404(b).	FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.  FRE 401-404(b) – See Doc. 112 at 62-63	Overruled; any messages sent by Mr. Addison are admissible as an opposing party statement under Rule 801(d)(2). The incoming messages are context, questions, or being offered for effect on listener, and not to prove the truth of those assertions. The messages are admissible under Rule 404(b) because they are being offered for the non-propensity purpose of showing Mr. Addison's knowledge and intent to distribute drugs and the probative value is not substantially outweighed by the danger of unfair prejudice.
G-289	Chat with 800 - Drug - Dodge Lincoln	Hearsay, authenticity, FRE 401-403, 404(b).	FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated	Overruled; for the reasons stated in the Court's ruling on G-288.

			by competent witness.  FRE 401-404(b) – See Doc. 112 at 62-63	
G-290	Excerpt - Chat with Stephany - Number Changes - Owes Money	Hearsay, authenticity, FRE 401-403, 404(b).	<p>FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.</p> <p>FRE 401-404(b) – Establishes phone number changed on April 30, 2023, which is relevant to put D at scene of Edgewood shooting (Doc. 112 at 4-5; 10).</p>	Overruled; these messages are admissible under Rule 404(b) because they are being offered for the non-propensity purpose of showing Mr. Addison's identity as the individual involved in the April 14 shooting and the probative value is not substantially outweighed by the danger of unfair prejudice. The messages sent by Mr. Addison are admissible as opposing party statements under Rule 801(d)(2), and the rest of the messages are not being offered for the truth of the matter asserted.
G-291	Excerpt Chat with BM - Family and New Number	Hearsay, authenticity, FRE 401-403, 404(b).	<p>FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated</p>	Overruled; these messages are admissible under Rule 404(b) because they are being

			<p>by competent witness.</p> <p>FRE 401-404(b) – relevant to authenticate D as user of phone; see G-290 (RE phone number change)</p>	<p>offered for the non-propensity purpose of showing Mr. Addison’s identity as the owner of the phone and to show that he changed his phone number and the probative value is not substantially outweighed by the danger of unfair prejudice. The messages sent by Mr. Addison are admissible as opposing party statements under Rule 801(d)(2), and the rest of the messages are not being offered for the truth of the matter asserted.</p>
G-292	Excerpt Chat with Lindsey - Attribution and New Number	Hearsay, authenticity, FRE 401-403, 404(b).	<p>FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.</p> <p>FRE 401-404(b) – relevant to authenticate D as user of phone; see G-290 (RE phone number change)</p>	<p>Sustained in part and overruled in part. The message “New number Erik” and the messages showing the photos of Mr. Addison with cash are admissible under Rule 801(d)(2) and Rule 404(b) because they are being offered for the non-propensity purpose of showing Mr. Addison’s identity as the owner of the phone and to show that he</p>

				changed his phone number and the probative value is not substantially outweighed by the danger of unfair prejudice. However, the rest of the messages are not relevant to this purpose and will be excluded.
G-293	Excerpt Chat with Mommy - Attribution - Number Changes - Used Car for Shooting	Hearsay, authenticity, FRE 401-403, 404(b).	<p>FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.</p> <p>FRE 401-404(b) – relevant to authenticate D as user of phone; see G-290 (RE phone number change); evid. of defendant's involvement in Count 4. See also Doc. 112 at 21-22; 63-66.</p>	Overruled; these messages are admissible under Rule 404(b) because they are being offered for the non-propensity purpose of showing Mr. Addison's identity as the individual involved in the April 14 shooting and the probative value is not substantially outweighed by the danger of unfair prejudice. The messages sent by Mr. Addison are admissible as opposing party statements under Rule 801(d)(2), and the rest of the messages are not being offered for the truth of the matter asserted.
G-294	Excerpt Chat with	Hearsay,	FRE 801(d)(2)	Sustained in part

	Tayyyla - Attribution and Number Change	authenticity, FRE 401-403, 404(b).	(Doc. 112 at 73-75). Will be authenticated by competent witness.  FRE 401-404(b) – relevant to authenticate D as user of phone; see G-290 (RE phone number change)	and overruled in part. The message “New number Erik” and the messages showing the photos of Mr. Addison with cash are admissible under Rule 801(d)(2) and Rule 404(b) because they are being offered for the non-propensity purpose of showing Mr. Addison’s identity as the owner of the phone and to show that he changed his phone number and the probative value is not substantially outweighed by the danger of unfair prejudice. However, the rest of the messages are not relevant to this purpose and will be excluded.
G-295	Group Chat - Just Bought Infinity	Hearsay, authenticity, FRE 401-403, 404(b).	FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.  FRE 401-404(b) – relevant to authenticate D as user of	Overruled in part and sustained in part; the page containing the message “I just bought a infinity” is admissible under Rule 801(d)(2) and admissible under Rule 404(b) because it is being offered for the non-propensity purpose

			phone; see G-290 (RE phone number change); relevant to show D had Infiniti at time of Edgewood shooting	of showing Mr. Addison's identity as the individual involved in the April 14 shooting and the probative value is not substantially outweighed by the danger of unfair prejudice. However, the rest of the messages are not relevant to this purpose and will be excluded.
G-296	Shaneeeka - Attribution	Hearsay, authenticity, FRE 401-403, 404(b).	<p>FRE 801(d)(2) (Doc. 112 at 73-75). Will be authenticated by competent witness.</p> <p>FRE 401-404(b) – relevant to authenticate D as user of phone</p>	Overruled in part and sustained in part; the message "Lil E from hazel wood how old are you? I am 43 grown woman status" is admissible because it is not being offered for the truth of the matter asserted. The message "I'm 26" is admissible under Rule 801(d)(2) and admissible under Rule 404(b) because it is being offered for the non-propensity purpose of showing Mr. Addison's identity as owner of the phone and the probative value is not substantially

				outweighed by the danger of unfair prejudice. However, the rest of the messages are not relevant to this purpose and will be excluded.
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### Carwash Video

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-297	Car Wash Video from Extraction Report	Authenticity, FRE 401-403, 404(b).	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this video is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-298	Carwash Video - Data and Still.pptx	Authenticity, FRE 401-403, 404(b), Addison not in still depicting firearm.	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this video is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-299	Video of Addison Sitting in Car with Gun (IMG_0672)	Authenticity, FRE 401-403, 404(b), Addison not in portion of video depicting firearm.	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this video is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in</i>

				<i>limine.</i> ECF 150.
G-300	Still Image - Addison's Face - 1	Authenticity, FRE 401-403, 404(b).	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this image is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in limine.</i> ECF 150.
G-301	Still Image - Addison's face - 2	Authenticity, FRE 401-403, 404(b).	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this image is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in limine.</i> ECF 150.
G-302	Still Image - Gun	Authenticity, FRE 401-403, 404(b), Addison not in still depicting firearm.	Will be authenticated by competent witness.  See Doc. 112 at 42-45	Overruled subject to the government's authentication at trial; this image is admissible for the reasons discussed in the Court's ruling in its order on the parties' motions <i>in limine.</i> ECF 150.

### Money Video

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-303	Videos from Extraction Report	Authenticity, hearsay, FRE 401-403, 404(b).	Will be authenticated by competent witness.	Overruled subject to government's authentication at trial. The probative value of this exhibit is not substantially

				<p>outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-304	Money Video - Data and Still.pptx	Authenticity, FRE 401-403, 404(b).	<p>Will be authenticated by competent witness.</p> <p>Evid. of unexplained wealth. (Doc. 112 at 37-39).</p>	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this</p>

			Evid. to authenticate D as user of phone.	<p>exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-305	Video of Addison with Money (IMG_0755)	Authenticity, hearsay, FRE 401-403, 404(b).	Same as G-304; any statements not being offered for truth of matter asserted.	Overruled in part and sustained in part, subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the

				<p>other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p> <p><b><i>However, the Court finds that for a portion of this exhibit, the potential for unfair prejudice substantially outweighs the probative value.</i></b></p> <p>Once another individual enters the video approximately nine seconds in, the</p>
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				<p>video's relevance significantly decreases because it is no longer solely portraying Mr. Addison showing money to the camera. The prejudice appears high because to the Court's ear and eye, one other individual appears to be saying "gang" and flashing something that could be construed as a gang symbol. The government must shorten this video such that only the portion of the video showing Mr. Addison showing money to the camera is shown to the jury. This also resolves Mr. Addison's hearsay objection because any spoken words (other than "yeah," which is not a statement offered for the truth of the matter) occur after the other individuals enter the video.</p>
G-306	Still Image - Addison Holding Money - 1	Authenticity, FRE 401-403, 404(b).	Same as G-304	<p>Overruled subject to government's authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair</p>

				<p>prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-307	Still Image - Addison Holding Money - 2	Authenticity, FRE 401-403, 404(b).	Same as G-304	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and</p>

				<p>images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-308	Still Image - Addison Holding Money - 3	Authenticity, FRE 401-403, 404(b).	Same as G-304	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are</p>

				<p>relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
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### Notes

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-309	Notes - Final to Mark	Authenticity, hearsay, FRE 401-403, 404(b).	FRE 801(d)(2). (Doc. 112 at 73-75); See Government’s Trial Brief (Doc. 112 at pp 45-63)	Overruled subject to government’s authentication at trial. Under a Rule 404(b) analysis, the first part of the test is satisfied because the government plans to introduce the evidence for the non-propensity purpose of showing knowledge and intent.

				<p><i>United States v. Jackson</i>, 619 F. App'x 189, 193 (3d Cir. 2015). The second part of the test is satisfied because the evidence is relevant to establishing Mr. Addison's knowledge of drug trafficking and intent to engage in drug trafficking, and Mr. Addison's knowledge of the Glock switch and that it enables a firearm to fire fully automatically. As to unfair prejudice under Rule 403, for the same reasons that apply to the drug notes and owe sheets, the Court finds that the probative value is not substantially outweighed by the unfair prejudice because the evidence is highly probative and any risk of unfair prejudice is minimal. As to unfair prejudice under Rule 403, the Court finds no serious undue prejudice here, based on the language of the notes; further, the probative value is not substantially outweighed by the unfair prejudice</p>
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				<p>because if the “evidence is highly probative, even a large risk of unfair prejudice may be tolerable.” <i>United States v. Cross</i>, 308 F.3d 308, 323 (3d Cir. 2002). <i>One exception is the note that has the phrase “BOP but no federal counting list.” That phrase must be redacted because it could refer to Mr. Addison serving time in prison. See ECF 150. As to hearsay, the statements are admissible as an opposing party statement under Rule 801(d)(2).</i></p>
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### Images

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-310	Image - Addison - Cash 1	Authenticity, FRE 401-403, 404(b).	<p>Will be authenticated by competent witness.</p> <p>Doc. 112 at 37-39.</p>	Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and

				<p>images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-311	Image - Addison - Cash 2	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are</p>

				<p>relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-312	Image - Addison - Cash in Kitchen	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large</p>

				<p>amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-313	Image - Addison and Cash - 1-29-23	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is</p>

				<p>generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-314	Image - Addison and Cash on Sidewalk - 4-11-23	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v.</i></p>

				<p><i>Cooley</i>, 131 F. App'x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i>. ECF 150.</p>
G-315	Image - Cash - 1-22-23	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government's authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>"[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible."</p> <p><i>United States v. Cooley</i>, 131 F. App'x 881, 883 (3d Cir. 2005). And this type</p>

				of evidence is routinely admitted. <i>United States v. Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-316	Image - Cash 6 - 1-7-23	Authenticity, FRE 401-403, 404(b).	See G-310.	Overruled subject to government's authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. "[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible." <i>United States v. Cooley</i> , 131 F. App'x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v.</i>

				<i>Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.
G-317	Image - Cash in Kitchen - 4-14-23	Authenticity, FRE 401-403, 404(b).	See G-310.	Overruled subject to government’s authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.” <i>United States v. Cooley</i> , 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v. Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). This evidence

				is also admissible under Rule 404(b) for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-318	Image - Cash in Restaurant - 2-13-23	Authenticity, FRE 401-403, 404(b).	See G-310.	<p>Overruled subject to government's authentication at trial. The probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>"[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible."</p> <p><i>United States v. Cooley</i>, 131 F. App'x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in</p>

				the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-319	Image - Glock and Cash - 1-12-23	Authenticity, FRE 401-403, 404(b), depicts unidentified person.	See G-310.  Evid. of prior possession of Glock pistol. <i>See</i> Doc. 112 at 31-33; 36-37. <sup>2</sup>	Overruled subject to government's authentication at trial. Under a Rule 404(b) analysis, the first part of the test is satisfied because the government plans to introduce the evidence for the non-propensity purpose of showing knowledge and intent. <i>United States v. Jackson</i> , 619 F. App'x 189, 193 (3d Cir. 2015). The second part of the test is satisfied because the evidence is relevant to establishing Mr. Addison's knowledge of the Glock switch and that it enables a firearm to fire fully automatically. As to unfair prejudice under Rule 403, for the same reasons that apply to the drug notes and owe sheets, the Court finds that the probative value is not substantially outweighed by the

<sup>2</sup> This image is also admissible to establish the defendant's knowledge of what a Glock pistol should look like, which is then evidence that he was aware of the Glock switch installed on the pistol being a deviation from the standard Glock pistol. As such, it makes it more likely he knew the nature of the weapon he possessed on May 8.

				<p>unfair prejudice because the evidence is highly probative and any risk of unfair prejudice is minimal. Additionally, “in cases where a defendant is charged with unlawful possession of something, evidence that he possessed the same or similar things at other times is often quite relevant to his knowledge and intent with regard to the crime charged.”</p> <p><i>United States v. Cassell</i>, 292 F.3d 788, 793 (D.C. Cir. 2002) (upholding district court’s admission of prior firearm possession); <i>United States v. Williams</i>, No. 07-5, 2008 WL 4921225, at *2 (W.D. Pa. Nov. 14, 2008) (Gibson, J.) (finding photographs of defendant holding firearms admissible to show knowledge). As to the “unknown individual” objection, this goes to the weight of the evidence and not its admissibility because the government plans to introduce evidence at trial that this image</p>
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				came from Mr. Addison's phone, which makes it likely that Mr. Addison is the individual in the image.
G-320	Image - Glock and Mag - 2-13-23	Authenticity, FRE 401-403, 404(b), depicts unidentified person.	See G-310 and G-319.	Overruled subject to government's authentication at trial. Under a Rule 404(b) analysis, the first part of the test is satisfied because the government plans to introduce the evidence for the non-propensity purpose of showing knowledge and intent. <i>United States v. Jackson</i> , 619 F. App'x 189, 193 (3d Cir. 2015). The second part of the test is satisfied because the evidence is relevant to establishing Mr. Addison's knowledge of the Glock switch and that it enables a firearm to fire fully automatically. As to unfair prejudice under Rule 403, for the same reasons that apply to the drug notes and owe sheets, the Court finds that the probative value is not substantially outweighed by the unfair prejudice because the evidence

				<p>is highly probative and any risk of unfair prejudice is minimal. Additionally, “in cases where a defendant is charged with unlawful possession of something, evidence that he possessed the same or similar things at other times is often quite relevant to his knowledge and intent with regard to the crime charged.”</p> <p><i>United States v. Cassell</i>, 292 F.3d 788, 793 (D.C. Cir. 2002) (upholding district court’s admission of prior firearm possession); <i>United States v. Williams</i>, No. 07-5, 2008 WL 4921225, at *2 (W.D. Pa. Nov. 14, 2008) (Gibson, J.) (finding photographs of defendant holding firearms admissible to show knowledge). As to the “unknown individual” objection, this goes to the weight of the evidence and not its admissibility because the government plans to introduce evidence at trial that this image came from Mr. Addison’s phone,</p>
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				which makes it likely that Mr. Addison is the individual in the image.
G-321	Image - Owe Sheet	Authenticity, hearsay, FRE 401-403, 404(b).	Doc. 112 at 45-48.	Overruled for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-322	Image - Selfie - 3-6-23	Authenticity, FRE 401-403, 404(b).	See G-310. Admissible to authenticate defendant as user of phone.	Overruled; this photo is not an "other act" under Rule 404(b). It is admissible to authenticate Mr. Addison as the user of his cell phone.
G-323	Image - Selfie - 5-2-23	Authenticity, FRE 401-403, 404(b).	See G-310 and G-323.	Overruled; this photo is not an "other act" under Rule 404(b). It is admissible to authenticate Mr. Addison as the user of his cell phone.
G-324	Image - Vacuum Sealed Cash - 1-15-23	Authenticity, FRE 401-403, 404(b).	See G-310.	Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. "[P]ossession of large amounts of cash with evidence of narcotics trafficking is

				<p>generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
G-325	Image - Vacuum Sealed Cash with Caption	Authenticity, hearsay, FRE 401-403, 404(b).	See G-310; party opponent admission (Rule 801(d)(2)).	<p>Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir.</p>

				2005). And this type of evidence is routinely admitted. <i>United States v. Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150. The statement is admissible under 801(d)(2).
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### Stamp Bag Reports

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-326	23LAB01980_Report1 - ACOME - Audi	Hearsay. Fed. R. Evid. 401-403, 404(b).	Marked for identification purposes only; basis for expert opinion (FRE 703).	Sustained.
G-327	23LAB02761_Report 1 - ACOME - Audi	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-328	23LAB03155_Report 1 - ACOME - Audi	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-329	23LAB03164_Report 1 - ACOME - Dodge and Audi	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-330	23LAB03482_Report 1 - ACOME - Dodge and Audi	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-331	Audi - 05.05.2023 -	Hearsay. Fed.	See G-326	Sustained.

	ODIN	R. Evid. 401-403, 404(b).		
G-332	Chrysler - 05.21.2023 - ODIN	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-333	Dodge - 01.14.2024 - ODIN	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-334	Dodge - 09.13.2024 - ODIN	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-335	Dodge - 12.13.2023 - ODIN	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.
G-336	Lincoln - 01.27.2020 - ODIN	Hearsay. Fed. R. Evid. 401-403, 404(b).	See G-326	Sustained.

### Social Media Records

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-337	Addison - Facebook Certification	Hearsay	Self-authenticating business record. FRE 803(6) and 902(11). Doc. 112 at 69-73.	Overruled; self-authenticating under Rule 902(11).
G-338	Addison - Instagram Certification	Hearsay	See G-337	Overruled; self-authenticating under Rule 902(11).
G-339	Facebook Account Information	Hearsay	See G-337	Overruled; self-authenticating under Rule 902(11).
G-340	Instagram Account Information	Hearsay	See G-337	Overruled; self-authenticating under Rule 902(11).

### YouTube

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-341	"No Witness" - Clip	Hearsay. Fed. R. Evid. 401-403, 404(b).	Government is not seeking admission of this video.	Sustained.
G-342	Transcript for "No Witness" - Clip	Transcript unreliable. Hearsay. Fed. R. Evid. 401-403, 404(b).	Government is not seeking admission of G-341 or G-341.	Sustained.

### Facebook – Selected Pictures

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-343	Meta Information (photos_112400588427229 - w upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	FRE 803(6) and 902(11) and (12) – <i>see</i> Doc. 112 at 69-73.  Doc. 112 at 37-39.	Overruled. While social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i> , 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v.</i>

				<p><i>Farrad</i>, 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.</p> <p>As to Mr. Addison’s relevance and Rule 404(b) objection, probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.</p> <p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.”</p> <p><i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.</p> <p><i>United States v. Chandler</i>, 326 F.3d</p>
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				<p>210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i>. ECF 150.</p> <p>As to Mr. Addison's hearsay objection, the Court can discern no implied assertion.</p>
G-344	Addison Sitting on Floor with Cash (photos_112400588427229)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-343.  (not hearsay – no statement or assertion).	Overruled; for the reasons stated in the Court's ruling on G-343.
G-345	Meta Information (photos-1628469 series - w upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	Marked for identification purposes only.	Overruled; without prejudice to renewing if government moves to admit at trial.
G-346	Meta Report (photos-1628469 series - w upload data_Redacted)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-343.  Also authenticates Addison as user.	Overruled; for the reasons stated in the Court's ruling on G-343. Additionally, the images of Mr. Addison without cash are relevant to authenticate him as the user of the Facebook account.
G-347	Addison Standing in Kitchen Holding Stack of Cash (photos_162846910049263)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343.
G-348	Addison Standing in Kitchen with	Authenticity. FRE 401-403,	See G-343	Overruled; for the reasons stated in the

	Facemask Pointing Cash (photos_162846913382596)	404(b).		Court's ruling on G-343.
G-349	Group Standing Around Table with Stacks of Cash (photos_162846916715929)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343 and G-346.
G-350	Addison Holding Cash in Kitchen with Another Individual (photos_162846920049262)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343 and G-346.
G-351	Meta Information (photos_16594 series w upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	Marked for identification purposes only.	Overruled; without prejudice to renewing if government moves to admit at trial.
G-352	Meta Report (photos_16594 series w upload data_Redacted)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-343; See also Doc. 112 at 39-42.	Overruled; for the reasons stated in the Court's ruling on G-343.
G-353	Addison Outside Holding Cash -1 (photos_165947139739240)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343.
G-354	Two Individuals Covering Faces with Cash (photos_165947143072573)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343.
G-355	Addison Outside Holding Cash -2 (photos_165947146405906)	Authenticity. FRE 401-403, 404(b).	See G-343	Overruled; for the reasons stated in the Court's ruling on G-343.

### Facebook – Selected Videos

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-356	Meta Information (shares_175171264931475 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen. - FRE 803(6)/902(11) (See Doc. 112 at 69-73).	Overruled; exhibits G-356 through G-358 are social media records showing that

			<p>Hearsay – FRE 801(d)(2).</p> <p>FRE 401-404(b): See Doc. 112 at 26-37.</p>	<p>Mr. Addison posted the “no witness” video on Facebook and Instagram. The “no witness” video and related records are admissible for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p> <p>As to Mr. Addison’s hearsay objection, any statements he made in connection with posting the video are admissible under Rule 801(d)(2). As to Mr. Addison’s authenticity objection, while social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i>, 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of the account</p>
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				match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-357	Meta Report (shares_175171264931475 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-356	Overruled; for the reasons stated in the Court's ruling on G-356.
G-358	Music Video (shares_175171264931475 - CLIP)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-356	Overruled; for the reasons stated in the Court's ruling on G-356.
G-359	Transcript of Music Video (shares_175171264931475 - transcript - CLIP)	Transcript unreliable. Authenticity. Hearsay. FRE 401-403, 404(b).	See G-356;  Not seeking admission of transcript as substantive evidence; demonstrative to assist jury. No objection to Third Cir. Jury Inst. 4.06.	Overruled; Demonstratives are permissible to "clarify and simplify complex testimony or other information and evidence or to assist counsel in the presentation of argument to the court or jury." <i>United States v. Bray</i> , 139 F.3d 1104, 1111 (6th Cir. 1998). And the underlying video is admissible.

				However, the transcript will not be sent back to the jury with the trial exhibits.
G-360	Meta Information (status_updates_751281833114660 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen. - FRE 803(6)/902(11) (See Doc. 112 at 69-73). Hearsay – FRE 801(d)(2) (also, no audio in this exhibit)  FRE 401-404(b): See Doc. 112 at 26-37.	Overruled; for the reasons stated in the Court’s ruling on G-343.
G-361	Meta Report (status_updates_751281833114660 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-360	Overruled; statements are admissible under Rule 801(d)(2).  As to Mr. Addison’s authenticity objection, while social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i> , 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly

				authenticated if the details of the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-362	Video of Addison Showing off Stacks of Cash (status_updates_751281833114660)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-360	Overruled; for the reasons stated in the Court's ruling on G-343. As to Mr. Addison's hearsay objection, there appears to be no audio to this exhibit.
G-363	Still from Video of Addison Holding Cash (status_updates_751281833114660 - still image)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-360	Overruled; for the reasons stated in the Court's ruling on G-343.
G-364	Meta Information (status_updates_878267133437989 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-404(b): See Doc. 112 at 26-37.	Overruled; for the reasons stated in the Court's ruling on G-343. As to Mr. Addison's hearsay objection, statement is admissible under Rule 801(d)(2).

G-365	Meta Upload Report (status_updates_878267133437989 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-364	Sustained; these statements do not appear to be relevant to Mr. Addison's charges even though they are posted on his social media account.
G-366	Video Fanning out Cash (status_updates_878267133437989)	Authenticity. FRE 401-403, 404(b). Depicts somebody but can't tell if it's Addison.	See G-364  Also: Individual looks consistent with Addison, Exs. G-364 and 365; posted by user of Addison's account (see also Doc. 112 at 72).	Overruled; for the reasons stated in the Court's ruling on G-343. As to Mr. Addison's hearsay objection, this video does not appear to have audio.
G-367	Meta Information (videos_910171346730909 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73); FRE 801(d)(2).  FRE 401-404: See Doc. 112 at 26-37.	Overruled; for the reasons stated in the Court's ruling on G-366.
G-368	Meta Report (videos_910171346730909 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-367	Sustained; evidence related to the "no mystery" rap videos is inadmissible for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-369	Video Singing and Smoking in Recording Studio (videos_910171346730909 -	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-367.	Sustained; for the reasons stated in the Court's ruling on G-368.

	CLIP)			
G-370	Transcript of Video Singing and Smoking in Recoding Studio (videos_910171346730909 - transcript - CLIP)	Transcript unreliable. Authenticity. Hearsay. FRE 401-403, 404(b).	See G-367.  Not seeking admission of transcript as substantive evidence; demonstrative to assist jury. No objection to Third Cir. Jury Inst. 4.06.	Sustained; for the reasons stated in the Court's ruling on G-368.

### Instagram – Selected Pictures

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-371	Meta Upload Report - Nighttime Rap Shoot Pictures	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-404(b): See Doc. 112 at 39-42. <sup>3</sup>	Overruled; as to the cash, the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking.

<sup>3</sup> The government redacted images from this exhibit that it is not seeking to admit. This exhibit is an excerpt of the original records, and page 1 of this exhibit provides the upload data for all of the images. Therefore, the only way to admit the upload data with the images is to admit the entire series, with the images redacted that the government is not seeking to admit.

				<p>“[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.” <i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p> <p>As to the firearms, under a Rule 404(b) analysis, the first part of the test is satisfied because the government plans to introduce the</p>
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				<p>evidence for the non-propensity purpose of showing knowledge and intent. <i>United States v. Jackson</i>, 619 F. App'x 189, 193 (3d Cir. 2015). The second part of the test is satisfied because the evidence is relevant to establishing Mr. Addison's knowledge of the Glock switch and that it enables a firearm to fire fully automatically. As to unfair prejudice under Rule 403, the Court finds that the probative value is not substantially outweighed by the unfair prejudice because the evidence is highly probative and any risk of unfair prejudice is minimal. Additionally, "in cases where a defendant is</p>
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				<p>charged with unlawful possession of something, evidence that he possessed the same or similar things at other times is often quite relevant to his knowledge and intent with regard to the crime charged.”</p> <p><i>United States v. Cassell</i>, 292 F.3d 788, 793 (D.C. Cir. 2002) (upholding district court’s admission of prior firearm possession);</p> <p><i>United States v. Williams</i>, No. 07-5, 2008 WL 4921225, at *2 (W.D. Pa. Nov. 14, 2008) (Gibson, J.) (finding photographs of defendant holding firearms admissible to show knowledge).</p> <p>As to authentication, while social media posts are</p>
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				<p>not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i>, 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i>; <i>United States v. Farrad</i>, 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering</p>
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				<p>evidence that Mr. Addison controlled the social media accounts at issue.</p> <p>As to Mr. Addison's hearsay objection, the statements not offered for the truth of the matter and the photographs are not hearsay.</p>
G-372	Group Standing Around Cash and Firearms - 1 (unified_message_175963988643417)	Authenticity. FRE 401-403, 404(b).	See G-371; see also Doc. 112 at 37-39.	Overruled; for the reasons stated in the Court's ruling on G-371.
G-373	Group Standing Around Cash and Firearms - 2 (unified_message_5832040510258060)	Authenticity. FRE 401-403, 404(b).	See G-371 and G-372.	Overruled; for the reasons stated in the Court's ruling on G-371.
G-374	Group Standing Around Cash and Firearms - 3 (unified_message_6043738305714149)	Authenticity. FRE 401-403, 404(b).	See G-371 and G-372.	Overruled; for the reasons stated in the Court's ruling on G-371.
G-375	Group Standing Around Cash and Firearms - 4 (unified_message_6382298148499642)	Authenticity. FRE 401-403, 404(b).	See G-371 and G-372.	Overruled; for the reasons stated in the Court's ruling on G-371.
G-376	Meta Upload Report - Daytime Rap Shoot	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at	Overruled; for the reasons stated in the Court's ruling on

			69-73).  FRE 401-404(b): See Doc. 112 at 37-42)	G-371.
G-377	Group Standing Holding Cash - 1 (unified_ message_ 155379184143120)	Authenticity. FRE 401-403, 404(b).	See G-376	Overruled; for the reasons stated in the Court's ruling on G-371.
G-378	Group Standing Holding Cash - 2 (unified_ message_ 1778603005868085)	Authenticity. FRE 401-403, 404(b).	See G-376	Overruled; for the reasons stated in the Court's ruling on G-371.
G-379	Group Standing Holding Cash - 3 (unified_ message_ 184564387726720)	Authenticity. FRE 401-403, 404(b).	See G-376	Overruled; for the reasons stated in the Court's ruling on G-371.
G-380	Group Standing Holding Cash - 4 (unified_ message_ 196790629777374)	Authenticity. FRE 401-403, 404(b).	See G-376	Overruled; for the reasons stated in the Court's ruling on G-371.
G-381	Meta Upload Report (archived_ stories_ 18061505788365870 - upload data)	Authenticity. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-404(b): See Doc. 112 at 37-39	Overruled; for the reasons stated in the Court's ruling on G-371.
G-382	Stacks of Cash with "Light Day" Caption (archived_ stories_ 18061505788365870)	Authenticity. FRE 401-403, 404(b).	See G-381.	Overruled; for the reasons stated in the Court's ruling on G-371.
G-383	Meta Upload Report (media_	Authenticity. Hearsay. FRE	Authen/Hearsay: FRE	Overruled; for the reasons

	3078779550499022094 - upload data)	401-403, 404(b).	803(6)/902(11) (See Doc. 112 at 69-73). Will redact comments of other Facebook users.  FRE 401-404(b): See Doc. 112 at 37-39	stated in the Court's ruling on G-371. As to Mr. Addison's hearsay objection, the Court agrees that the government should redact the comments of the other social media users.
G-384	Addison Leaning Against Brick Wall with Cash (media_ 3078779550499022094)	Authenticity. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-404(b): See Doc. 112 at 37-39	Overruled; for the reasons stated in the Court's ruling on G-371.
G-385	Meta Upload Report (media_ 3085878985284471246 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73). Will redact comments of other Facebook users.  FRE 401-404(b): See Doc. 112 at 37-42	Overruled; for the reasons stated in the Court's ruling on G-371. As to Mr. Addison's hearsay objection, the Court agrees that the government should redact the comments of the other social media users.
G-386	Addison Outside Holding Cash (media_ 3085878985284471246)	Authenticity. FRE 401-403, 404(b).	See G-385.	Overruled; for the reasons stated in the Court's ruling on G-371.

G-387	Meta Upload Report (unified_message_1177999819539990 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73). Will redact comments of other Facebook users.  FRE 401-404(b): See Doc. 112 at 37-42	Sustained; this image appears to be a still from a rap video. Stills from the rap videos are inadmissible for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
G-388	Group Holding Firearms and Cash (unified_message_1177999819539990)	Authenticity. FRE 401-403, 404(b).	See G-387.	Sustained; this image appears to be a still from a rap video. Stills from the rap videos are inadmissible for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.

### Instagram – Selected Pictures

Exhibit No.	Exhibit Description	Defense Objection	Government Response	Court Ruling
G-389	Meta Information (archived_stories_17956432670464620 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-404(b): See Doc. 112 at 37-39.	Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this

				<p>exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.” <i>United States v. Cooley</i>, 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p>
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				<p>As to Mr. Addison’s hearsay objection, the Court can discern no basis for this objection.</p> <p>As to Mr. Addison’s authenticity objection, while social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i>, 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of</p>
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				the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-390	Meta Upload Report (archived_stories_17956432670464620 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-389	Overruled; this exhibit appears to be data pertaining to the images and videos from Mr. Addison's social media. It is relevant to showing the images and videos came from his account and it is not an "other act" so not subject to Rule

				404(b). This is a self-authenticating business record under Rule 902(11).
G-391	Video of Addison in Kitchen Dancing with Cash (archived_stories_17956432670464620 - MUTED)	Authenticity. FRE 401-403, 404(b).	See G-389	Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.” <i>United States v. Cooley</i> , 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted.

				<p><i>United States v. Chandler</i>, 326 F.3d 210, 215 (3d Cir. 2003). This evidence is also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p> <p>As to Mr. Addison’s hearsay objection, this video does not appear to have audio.</p> <p>As to authentication, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i>, 834 F.3d 403, 409-12 (3d Cir. 2016). Images</p>
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				and videos from social media accounts can be properly authenticated if the details of the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-392	Meta Report (archived_stories_18055335646409395 - upload data)	Authenticity. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401-403, 404(b): Shows D in possession of drum magazine with apple	This exhibit appears to be data pertaining to the images and videos from Mr. Addison's social media. It is relevant to showing the images and videos came

			stickers; See Doc. 112 at 40-41; 37-39.	from his account and it is not an “other act” so not subject to Rule 404(b). This is a self-authenticating business record under Rule 902(11).
G-393	Music Video (archived_stories_18055335646409395 - MUTED)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-392.	Sustained; this appears to be a video of Mr. Addison and his friends rapping. There appears to be no audio and the Court finds that it has minimal probative value.
G-394	Transcript of Music Video (archived_stories_18055335646409395_transcript)	Transcript unreliable. Authenticity. Hearsay. FRE 401-403, 404(b).	Government not seeking admission; only presenting video without audio	Sustained because the underlying video is not admissible.
G-395	Meta Information (archived_stories_18354446335035631 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Government not seeking admission of this.	Sustained.
G-396	Meta Upload Report (archived_stories_18354446335035631 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	Government not seeking admission of this.	Sustained.
G-397	Video of Addison in Car (archived_stories_18354446335035631 -	Authenticity. Hearsay. FRE 401-403, 404(b).	Government not seeking admission of this.	Sustained.

	MUTED)			
G-398	Meta Information (videos_ 3088874681369475006 - data and still)	Authenticity. Hearsay. FRE 401-403, 404(b).	Authen/Hearsay: FRE 803(6)/902(11) (See Doc. 112 at 69-73).  FRE 401 to 404(b): See Doc. 112 at 37-39.	Overruled; the probative value of this exhibit is not substantially outweighed by the danger of unfair prejudice because this exhibit (as well as the other videos and images that show Mr. Addison holding large amounts of cash) are relevant to his drug trafficking. “[P]ossession of large amounts of cash with evidence of narcotics trafficking is generally relevant and admissible.” <i>United States v.</i> <i>Cooley</i> , 131 F. App’x 881, 883 (3d Cir. 2005). And this type of evidence is routinely admitted. <i>United States v.</i> <i>Chandler</i> , 326 F.3d 210, 215 (3d Cir. 2003). This evidence is

				<p>also admissible under Rule 404(b) for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i>. ECF 150.</p> <p>As to Mr. Addison’s hearsay objection, it does not appear that the statement “ur weird ash” is being offered for the truth of the matter asserted (i.e., that ash is weird).</p> <p>As to Mr. Addison’s authenticity objection, while social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient</p>
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				extrinsic evidence” to authenticate them. <i>United States v. Browne</i> , 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of the account match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-399	Meta Report (videos_3088874681369475006	Authenticity. Hearsay. FRE	See G-398	Overruled. As to Mr. Addison’s

	- upload data)	401-403, 404(b).		<p>hearsay objection, it does not appear that the statement “ur weird ash” is being offered for the truth of the matter asserted. As to Mr. Addison’s authenticity objection, while social media posts are not self-authenticating business records, the government may authenticate records from social media by showing “sufficient extrinsic evidence” to authenticate them. <i>United States v. Browne</i>, 834 F.3d 403, 409-12 (3d Cir. 2016). Images and videos from social media accounts can be properly authenticated if the details of the account</p>
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				match the defendant and the images or videos are accurate representations of the scene depicted. <i>Id.</i> ; <i>United States v. Farrad</i> , 895 F.3d 859, 877-78 (6th Cir. 2018). Here, the government has met its burden of authentication by proffering evidence that Mr. Addison controlled the social media accounts at issue.
G-400	Video of Addison Smoking in Car with Cash (videos_3088874681369475006)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-398	It is somewhat unclear all of the purposes for which this video and the subsequent stills are being introduced. Additionally, in the video, Mr. Addison discusses being in jail, which strikes the Court as unduly prejudicial.  The parties

				should be prepared to discuss G-400-407 at the final pre-trial conference.
G-401	Transcript of Video of Addison Smoking in Car with Cash (videos_3088874681369475006_transcript)	Transcript unreliable. Authenticity. Hearsay. FRE 401-403, 404(b).	See G-398.  Not seeking admission of transcript as substantive evidence; demonstrative to assist jury. No objection to Third Cir. Jury Inst. 4.06.	See G-400 above.
G-402	Still 1 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-403	Still 2 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-404	Still 3 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-405	Still 4 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-406	Still 5 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-407	Still 6 from Video (videos_3088874681369475006)	Authenticity. FRE 401-403, 404(b).	See G-398.	See G-400 above.
G-408	Meta Information (videos_3095381668139103988)	Authenticity. Hearsay. FRE 401-403,	Authen/Hearsay: FRE 803(6)/902(11)	Sustained; evidence related to the “no

	- data and still)	404(b).	(See Doc. 112 at 69-73).  FRE 401-404(b): Doc. 112 at 26-37.	mystery” rap videos is inadmissible for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.
G-409	Meta Upload Report (videos_3095381668139103988 - upload data)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-408	Sustained; evidence related to the “no mystery” rap videos is inadmissible for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.
G-410	Video of Addison Rapping (videos_3095381668139103988 - CLIP)	Authenticity. Hearsay. FRE 401-403, 404(b).	See G-408	Sustained; evidence related to the “no mystery” rap videos is inadmissible for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.
G-411	Transcript of Video of Addison Rapping (videos_3095381668139103988_	Transcript unreliable. Authenticity. Hearsay. FRE	See G-408.  Not seeking admission of	Sustained; evidence related to the “no mystery” rap

	transcript - CLIP)	401-403, 404(b).	transcript as substantive evidence; demonstrative to assist jury. No objection to Third Cir. Jury Inst. 4.06.	videos is inadmissible for the reasons stated in the Court's ruling in its order on the parties' motions <i>in limine</i> . ECF 150.
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**Miscellaneous Exhibits**

<b>Exhibit No.</b>	<b>Exhibit Description</b>	<b>Defense Objection</b>	<b>Government Response</b>	<b>Court Ruling</b>
G-412	Certified Copy of Conviction	Defendant will ask Court to reconsider admissibility of conviction and exclude.	Admissible for reasons set forth in Government's prior pleadings and Court's opinion.	Overruled; Mr. Addison's prior conviction is admissible pursuant to the Court's analysis in its omnibus order on Mr. Addison's pretrial motions. ECF 89, pp. 14-15.
G-413	Expert Report - Machine Gun	Hearsay.	Agreed, Marked for ident. to refresh under FRE 612	Overruled; because the government has indicated that it will not seek to admit this exhibit, the exhibit may only be used to refresh recollection and for impeachment, but may not otherwise be admitted into evidence.
G-413A	Images excerpted from G-413	None	Admissible as demonstrative to aid witness' testimony.	Overruled; demonstratives are permissible to "clarify and simplify complex testimony or other

				information and evidence or to assist counsel in the presentation of argument to the court or jury.” <i>United States v. Bray</i> , 139 F.3d 1104, 1111 (6th Cir. 1998). However, it will not be sent back to the jury with the trial exhibits.
G-414	PA Dept. of Labor & Industry Employment Query	Fed. R. Evid. 401-403, 404(b).	See Doc. 112 at 37-39.	Overruled for the reasons stated in the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.
G-415	Cell Phone Video – Still – Rear (April 14 – Edgewood)	None		
G-416	Bus 448 Video (April 14 – Edgewood)	Hearsay. FRE 401-403, 404(b).	Hearsay: Present Sense Impression and Excited Utterance. FRE 803(1) and (2).  FRE 401-404(b): See Doc. 112 at 66-68.	Sustained; evidence related to the school bus is inadmissible pursuant to the Court’s ruling in its order on the parties’ motions <i>in limine</i> . ECF 150.

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DATE: February 3, 2025

BY THE COURT:

/s/ J. Nicholas Ranjan  
United States District Judge